

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

KENNETH GARNER,

[DOB: 3-14-1962]

Defendant.

No. 17-3009-01-CR-S-BP

COUNT 1

18 U.S.C. §§ 922(g)(3) and 924(a)(2)

NMT 10 Years Imprisonment

NMT \$250,000 Fine

NMT 3 Years Supervised Release

Class C Felony

COUNT 2

21 U.S.C. § 841(a)(1) and (b)(1)(D)

NMT 5 Years Imprisonment

NMT \$250,000 Fine

NLT 2 Years Supervised Release

Class D Felony

FORFEITURE ALLEGATION

18 U.S.C. § 924(d)(1)

\$100 Special Assessment (Each Count)

INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT 1

On or about April 15, 2016, in Wright County, in the Western District of Missouri, **KENNETH GARNER**, then being an unlawful user of controlled substances, that is methamphetamine and marihuana, knowingly possessed, in and affecting interstate commerce, firearms, that are,

1. Remington, model 11-87, 12-gauge shotgun, with assigned serial number PC488501;
2. New England Firearms, model Pardner, 20-gauge shotgun, with assigned serial number NP393720;
3. Marlin, model 30AW, .30-30 caliber rifle, with assigned serial number 10081442;

4. Marlin, model 30AW, .30-30 caliber rifle, with assigned serial number 11060483;
5. Savage, model 93R17, .17-caliber rifle, with assigned serial number 0339299;
6. Zastava, model M75, 16-gauge shotgun, with assigned serial number 5868A;
7. Ruger, model M77 Mark II, .300 WM caliber rifle, with assigned serial number 780-46900;
8. Winchester, model 1300, 12-gauge shotgun, with assigned serial number L1976546;
9. Savage, model 10, .300 WSM caliber, with assigned serial number G364877;
10. Stag, model Stag-6.8, 6.8mm-caliber rifle, with assigned serial number 150473;
11. Mossberg, model 535, 12-gauge shotgun, with assigned serial number AT026377;
12. JC Higgins model 101.7 (Stevens 311 by Savage), 16-gauge shotgun, with no assigned serial number;
13. Savage, model 11, .22-250-caliber rifle, with assigned serial number H498887;
14. Remington, model 700LH, .243-caliber firearm, with assigned serial number G6906087;
15. Thompson/Center Arms, model Super 16, .223-caliber rifle, with assigned serial number SG3455;
16. Riverside Arms, unknown model, 12-gauge shotgun, with no assigned serial number;
17. Marlin, model 1895M, .450-caliber rifle, with assigned serial number 00056424;
18. Marlin, model 39AS, .22-caliber rifle, with assigned serial number 03120518;
19. Stevens (by Savage), model 311, .20-gauge shotgun, with no assigned serial number;
20. Savage (Canada), model Mark II, .22-caliber rifle, with assigned serial number 1545677;
21. Ruger, model No. 1, .220 Swift caliber rifle, with assigned serial number 133-05929;
22. Ted Williams, Sears & Roebuck (by Ithaca), model 340.530430, .22-caliber rifle, with assigned serial number 490574929;

23. Czechoslovakia, model CZ52, 7.62x25mm-caliber pistol, with assigned serial number G05785;
24. FEG, model PJK-9HP, 9mm-caliber pistol, with assigned serial number F30328;
25. High Standard, model Sentinel MK IV, .22-caliber revolver, with assigned serial number S51509;
26. Ruger, model New Model Blackhawk, .41-caliber revolver, with assigned serial number 48-49232;
27. Ruger, model New Model Blackhawk, .41-caliber revolver, with assigned serial number 48-46326;
28. Ruger, model New Model Blackhawk, .41-caliber revolver, with assigned serial number 87-80811;
29. High Standard, model M101, .22-caliber pistol, with assigned serial number 825314;
30. Colt, model 1911A1 (U.S. Army), .45-caliber pistol, with assigned serial number 752017;
31. Colt, model King Cobra, .357-caliber revolver, with assigned serial number 5947CK;
32. Harrington & Richardson, model 949, .22-caliber revolver, with assigned serial number BA024383;
33. Taurus (Brazil), model 425 Tracker, .41-caliber revolver, with assigned serial number AS501520;
34. Ruger, model Mark II, .22-caliber pistol, with assigned serial number 210-80213
35. Uberti (Italy), Top Break revolver, .45 Colt caliber revolver, with assigned serial number F03968;
36. Burgo (Germany), .22-caliber derringer, with assigned serial number 60172;

37. Manurhin (France), model Walther PP, 7.65mm-caliber pistol, with assigned serial number 321335;

38. Browning (Belgium), model Hi-Power, .40-caliber pistol, with assigned serial number 2W5NP50186; and

39. Smith & Wesson, model 27, .357-caliber revolver, with assigned serial number BEV4718,

all of which have been transported in interstate commerce, in violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2).

COUNT 2

On or about April 15, 2016, in Wright County, in the Western District of Missouri, the defendant, **KENNETH GARNER**, knowingly and intentionally possessed, with intent to distribute, a mixture or substance containing a detectable amount of marihuana, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(D).

FORFEITURE ALLEGATION

1. The allegations contained in Count 1 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offenses in violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2) set forth in Count 1 of this Indictment, the defendant, **KENNETH GARNER** shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), any firearms and ammunition involved or used in the commission of the offense charged in Count 1, including but not limited to the following:

1. Remington, model 11-87, 12-gauge shotgun, with assigned serial number PC488501;
2. New England Firearms, model Pardner, 20-gauge shotgun, with assigned serial number NP393720;
3. Marlin, model 30AW, .30-30 caliber rifle, with assigned serial number 10081442;
4. Marlin, model 30AW, .30-30 caliber rifle, with assigned serial number 11060483;
5. Savage, model 93R17, .17-caliber rifle, with assigned serial number 0339299;
6. Zastava, model M75, 16-gauge shotgun, with assigned serial number 5868A;
7. Ruger, model M77 Mark II, .300 WM caliber rifle, with assigned serial number 780-46900;
8. Winchester, model 1300, 12-gauge shotgun, with assigned serial number L1976546;
9. Savage, model 10, .300 WSM caliber, with assigned serial number G364877;
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23. Czechoslovakia, model CZ52, 7.62x25mm-caliber pistol, with assigned serial number G05785;
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25. High Standard, model Sentinel MK IV, .22-caliber revolver, with assigned serial number S51509;
26. Ruger, model New Model Blackhawk, .41-caliber revolver, with assigned serial number 48-49232;
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32. Harrington & Richardson, model 949, .22-caliber revolver, with assigned serial number BA024383;
33. Taurus (Brazil), model 425 Tracker, .41-caliber revolver, with assigned serial number AS501520;
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35. Uberti (Italy), Top Break revolver, .45 Colt caliber revolver, with assigned serial number F03968;

36. Burgo (Germany), .22-caliber derringer, with assigned serial number 60172;

37. Manurhin (France), model Walther PP, 7.65mm-caliber pistol, with assigned serial number 321335; and

38. Browning (Belgium), model Hi-Power, .40-caliber pistol, with assigned serial number 2W5NP50186,

all pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

A TRUE BILL

/s/ Gary Tombridge

FOREPERSON OF THE GRAND JURY

/s/ Josephine M. Larison

Josephine M. Larison

Special Assistant United States Attorney

DATED: 01/17/2017

Springfield, Missouri